

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JACK E. MACGREGOR,)	4:07CV3263
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
MICHELE HILLMAN, et al.,)	
)	
Defendants.)	

This matter is before the court on its own motion. On April 13, 2009, Defendants filed a Suggestion of Death, stating that Plaintiff “died on Thursday, February 28, 2009.” (Filing No. [55](#).) The court then entered a Memorandum and Order permitting Plaintiff’s survivors until July 13, 2009, “to submit an appropriate motion for substitution.” (Filing No. [56](#).) The court warned that “[i]f no motion is filed, this matter will be dismissed.” (*Id.*) No motion for substitution has been filed.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

July 29, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge